

# EXHIBIT 5

**NEIFELD REF:** SCOT0017-3

**CLIENT REF:** 066112.0132CONTA2

**Application/Patent No:** 12/655,357 7,949,494

**USPTO CONF. NO:** 1045

**File/Issue Date:** 12/22/2009 5/24/2011

**Inventor:** SCOTT MOSKOWITZ

**Title:** Method and device for monitoring and analyzing signals

**Examiner/ArtUnit:** CAROL TSAI/2857

**ENTITY STATUS:** LARGE

**To:** ATTN: Certificate of Correction Branch

Commissioner for Patents

PO Box 1450

Alexandria VA 22313-1450

**37 CFR 1.323 REQUEST FOR CERTIFICATE OF CORRECTION  
OF APPLICANT'S MISTAKE**

**SIR:**

The following is a request for a certificate of correction in Serial Number 12/655,357, now Patent Number 7,949,494.

A certificate of correction under 35 USC 255 is respectfully requested in the above identified patent.

At least one of the errors is the fault of the applicant and accordingly, payment of \$100 is submitted to pay for the fees. The errors comprise (1) changing a paragraph claiming benefit to a paragraph noting related cases; and (2) correcting a typographical error in claim 3.

The patentee is amending the specification in correspondence with the same change in the request for a certificate of correction filed herewith.

The requested correction is attached on Form PTO 1050.

Respectfully Submitted,

**DATE:** 8/1/2011

**SIGNATURE:** /BruceMargulies/

Bruce Margulies, Reg. No. 64,175

BTM

Date/time code: August 1, 2011 (1:54pm)

Y:\Clients\SCOT Scott A Moskowitz and Wistaria Trading,

Inc\SCOT0017-3\Drafts\RequestForCertificateOfCorrection\_SCOT0017-3\_7-21-2011.wpd

PATENT

Attorney Docket: 066112.0132

Section 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of:

Scott A. MOSKOWITZ et al.

Application Number: 09/652,181

Filed: September 7, 2000



Group Art Unit: 2131

Examiner: Unassigned

For: METHOD AND DEVICE FOR MONITORING AND ANALYZING SIGNALS

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts mailed October 25, 2000, applicants are submitting herewith the basic filing fee, small entity, a Declaration and Power of Attorney For Patent Application form in compliance with 37 C.F.R. § 1.63, and the late filing fee surcharge as set forth in 37 C.F.R. § 1.16(e), along with two small entity statements: one for Blue Spike, Inc. as a small business concern, and one signed by both individual inventors.

The fees are calculated as follows:

Basic Filing Fee (Small Entity)	\$ 355.00
5 claims in excess of 20 (Small Entity)	\$ 45.00
1 independent claim in excess of 3 (Small Entity)	\$ 40.00
Surcharge under 37 C.F.R. 1.16(e) (Small Entity)	\$ 65.00
<b>TOTAL</b>	<b>\$ 505.00</b>

A check in the amount of \$505.00 is attached to cover the small entity basic filing and small entity late filing fee surcharge.

PATENT  
Application No. 09/657,181  
Attorney Docket: -66112.0132

In the event any variance exists between the amount enclosed and the Patent Office charges, please charge or credit any difference to the undersigned's Deposit Account No. 50-1640.


Respectfully submitted,

BROBECK, PHLEGER & HARRISON, LLP

Dated: December 12, 2000

Brobeck, Phleger & Harrison, LLP  
Market Square East – Suite 220  
701 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
(202) 220-6000 (telephone)  
(202) 220-5200 (facsimile)

By:

  
Floyd B. Chapman  
Registration No. 40,555

**NEIFELD REF:** SCOT0017-1

**CLIENT REF:** 066112.0132

**Application/Patent No:** 09/657,181 7,346,472

**USPTO CONF. NO:** 1907

**File/Issue Date:** 9/7/2000 3/18/2008

**Inventor:** SCOTT MOSKOWITZ

**Title:** Method and device for monitoring and analyzing signals

**To:** ATTN: Certificate of Correction Branch

Commissioner for Patents

PO Box 1450

Alexandria VA 22313-1450

**37 CFR 1.323 REQUEST FOR CERTIFICATE OF CORRECTION  
OF APPLICANT'S MISTAKE**

**SIR:**

The following is a request for a certificate of correction in Serial Number 09/657,181, now Patent Number 7,346,472.

A certificate of correction under 35 USC 255 is respectfully requested in the above identified patent.

At least one of the errors is the fault of the applicant and accordingly, payment of \$100 is submitted to pay for the fees. The error comprises changing a paragraph claiming benefit to a paragraph noting related cases.

The patentee is amending the specification in correspondence with the same change in the request for a certificate of correction filed herewith.

The requested correction is attached on Form PTO/SB44.

Respectfully Submitted,

**DATE:** 8/1/2011

**SIGNATURE:** /BruceMargulies/

Bruce Margulies, Reg. No. 64,175

Date/time code: August 1, 2011 (1:41pm)

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Inc\SCOT0001\SCOT0001\_Drafts\RequestForCertificateOfCorrection\_SCOT0017-1\_7-30-2011  
.wpd



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/657,181  
Applicant : Scott A. MOSKOWITZ  
and Michael BERRY  
Filed : September 7, 2000  
TC/A.U. : 2857  
Examiner : Carol S W TSAI  
Docket No. : 80408.0012 (066112.0132)

Confirmation No. 1907

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

REVOCATION OF POWER OF ATTORNEY

I, Michael Berry, residing at 12401 Princess Jeanne, Albuquerque, New Mexico 87112, being one of the two co-inventors in the above-identified patent application, hereby revoke all powers of attorney previously given in connection with U.S. Application No. 09/657,181 (including without limitation the powers of attorney previously granted to the attorneys of Wiley Rein & Fielding).

Please update the correspondence address as follows:

Scott A. Moskowitz  
16711 Collins Avenue, #2505  
Miami, FL 33160

Telephone/Facsimile: 305-956-9041

Date: March 25, 2005

  
Michael Berry

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/657,181 Confirmation No. 1907  
Applicant : Scott A. MOSKOWITZ  
and Michael BERRY  
Filed : September 7, 2000  
TC/A.U. : 2857  
Examiner : Carol S W TSAI  
Docket No. : 80408.0012 (0661 12.0132)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

REVOCATION OF POWER OF ATTORNEY

I, Scott A. Moskowitz, residing at 16711 Collins Avenue, No. 25 05, Miami, Florida 33160, being one of the two co-inventors in the above-identified patent application, and being the president of Blue Spike, Inc., the owner of the entire right, title and interest in the above-identified patent application, hereby revoke all powers of attorney previously given in connection with U.S. Application No. 09/657,181 (including without limitation the powers of attorney previously granted to the attorneys of Wiley Rein & Fielding).

Please update the correspondence address as follows:

Scott A. Moskowitz  
16711 Collins Avenue, #2505  
Miami, FL 33160

Telephone/Facsimile: 305-956-9041

Date: March 25, 2005



Scott A. Moskowitz, Individually, and as  
President of Blue Spike, Inc.

**NEIFELD REF:** SCOT0017-2

**CLIENT REF:** 066112.0132CONT

**Application/Patent No:** 12/005,229 7,660,700

**USPTO CONF. NO:** 2556

**File/Issue Date:** 12/26/2007 2/9/2010

**Inventor:** SCOTT MOSKOWITZ

**Title:** Method and device for monitoring and analyzing signals

To: ATTN: Certificate of Correction Branch

Commissioner for Patents

PO Box 1450

Alexandria VA 22313-1450

**37 CFR 1.323 REQUEST FOR CERTIFICATE OF CORRECTION  
OF APPLICANT'S MISTAKE**

SIR:

The following is a request for a certificate of correction in Serial Number 12/005,229, now Patent Number 7,660,700.

A certificate of correction under 35 USC 255 is respectfully requested in the above identified patent.

At least one of the errors is the fault of the applicant and accordingly, payment of \$100 is submitted to pay for the fees. The error comprises changing a paragraph claiming benefit to a paragraph noting related cases.

The patentee is amending the specification in correspondence with the same change in the request for a certificate of correction filed herewith.

The requested correction is attached on Form PTO/SB44.

Respectfully Submitted,

**DATE:** 8/1/2011

**SIGNATURE:** /BruceMargulies/

Bruce Margulies, Reg. No. 64,175

Date/time code: August 1, 2011 (1:47pm)

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Inc\SCOT0001\SCOT0001\_Drafts\RequestForCertificateOfCorrection\_SCOT0017-2\_7-30-2011  
.wpd



**Neifeld Docket No:** SCOT0017-4

Application/Patent No: Unknown

USPTO CONFIRMATION NO:

File/Issue Date: Filed herewith

Inventor/title: Moskowitz/ Method and device for monitoring and analyzing signals

Large Entity

Priority: 09/657,181, filed 9/7/2000

37 CFR 1.115 PRELIMINARY AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS

ALEXANDRIA, VA 22313

Sir:

Prior to examination on the merits, please amend this application as follows.

II. IN THE CLAIMS

Claims 1-99 (canceled).

100. (New) A system for determining whether a query signal matches a reference signal, comprising:

a reference database, and a device comprising a processor, wherein:

said reference database stores a first version abstract of a first version of a reference signal, wherein said first version abstract comprises signal characteristic parameters configured to differentiate said first version of said reference signal from a second version of said reference signal;

said device configured to determine whether said first version of said reference signal matches a query signal, by comparing a query signal abstract of said query signal to said first version abstract stored in said reference database.

III. REMARKS

This preliminary amendment updates the priority claim in the first paragraph, removes the benefit claim in the second paragraph, corrects the formatting of the superscript in paragraph 30, and cancels claims 1-99.

2/17/2011

Date

Respectfully Submitted,

/BruceMargulies#64175/

Bruce Margulies

Registration No. 64,175

BTM

Printed: February 26, 2011 (9:50pm)

Y:\Clients\SCOT Scott A Moskowitz and Wistaria Trading,

Inc\SCOT0017-4\Drafts\ApplicationFiling\_SCOT0017-4\_2-10-2011.wpd